

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2007 JUL 16 PM 4: 47

CLERK   
SO. DIST. OF GA.

GEORGE A. DEMPSEY,

Plaintiff,

v.

Case No. CV407-083

SPENCER LAWTON, and  
THE STATE OF GEORGIA,

Defendants.

**REPORT AND RECOMMENDATION**

Defendant has filed a motion for voluntary dismissal pursuant to Fed. R. Civ. P. 41(a)(1). As plaintiff wishes to dismiss his lawsuit, and as defendants have yet to be served, this action should be dismissed. I therefore recommend that the instant action be DISMISSED without prejudice.

SO REPORTED AND RECOMMENDED this 16<sup>th</sup> day of  
July, 2007.

  
UNITED STATES MAGISTRATE JUDGE  
SOUTHERN DISTRICT OF GEORGIA